

United States Senate

June 14, 2012

COMMITTEES:
BANKING, HOUSING
AND URBAN AFFAIRS
FOREIGN RELATIONS
ENERGY AND NATURAL RESOURCES
SPECIAL COMMITTEE ON AGING

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

PSHBP
EAS
MSI


Dear Chairman Genachowski,

Local television stations are important sources for timely, often life-saving information during times of emergency. For example, during the recent outbreak of tornadoes that battered the middle of the country, Tennessee broadcasters and their staff worked around the clock to provide continuous, detailed reports on storm paths and shelter safety.

However, in Tennessee and other affected areas, Americans' access to such critical information was interrupted on many cable television systems that distribute Emergency Alert System (EAS) warnings by an override of "all programmed channels" on their system – including local TV stations – force-tuning all viewers to a single cable channel, as is conceived by current FCC EAS rules. As a result, viewers in the midst of watching their local broadcast station's meteorologist provide detailed information, such as the expected timing and street-by-street course of an approaching tornado, were switched away to another cable channel where an EAS alert with only general, county-level information was displayed.

I understand that FCC rules permit broadcasters and cable TV operators to negotiate for selective EAS overrides, thereby omitting local television stations during a cable system's EAS interruption, as part of their retransmission consent agreement. However, it appears that cable operators' concerns for cost and viewer welfare, along with other broadcaster priorities, have made such arrangements rare. Given advancements in technology, as well as the often superior safety information local broadcasts are able to provide, I respectfully request that the FCC initiate a process to engage all stakeholders to revisit the question of whether a better solution exists that could enhance public safety. Thank you for your consideration.

Sincerely,



Bob Corker
United States Senator



FEDERAL COMMUNICATIONS COMMISSION

August 10, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Bob Corker
United States Senate
185 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Corker:

Thank you for your letter regarding cable television systems and the Emergency Alert System. I appreciate your bringing this matter to my attention and have directed the Chief of Public Safety and Homeland Security Bureau to respond. I am pleased to provide the enclosed letter addressing your concerns.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, consisting of a series of fluid, connected strokes, is positioned above the printed name Julius Genachowski.

Julius Genachowski

Enclosure



Federal Communications Commission
Washington, D.C. 20554

August 10, 2012

In Reply Refer To:
1200751

The Honorable Bob Corker
185 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Corker:

Thank you for your letter expressing concern about the manner in which cable television systems comply with the Federal Communications Commission's (FCC) Part 11 Emergency Alert System (EAS) rules. As you correctly note, the Commission's EAS rules require that cable systems send a visual alert and audio alert over all their channels. Cable systems generally achieve this by force-tuning all viewers to a single cable channel, thus overriding all other programming, including that provided by broadcasters. We are also aware that broadcasters have consistently objected to this practice, arguing that it can deprive the public of more detailed alerts provided by broadcasters.

The Commission's Public Safety and Homeland Security Bureau (Bureau) recently has been reviewing the "mandatory override/force tuning" issue in light of consumer and industry concerns, and those you express, including consideration of new technologies that may affect the manner in which cable operators may provide EAS alerts to their customers. Thus, your suggestion of instituting a process to engage stakeholders and revisit this issue is one we are embracing. While I cannot predict the outcome of this review, I can assure you that the Commission remains committed to ensuring the public has access to timely and accurate public safety information across all information and media platforms.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in dark ink, reading "David Turetsky", is written over the typed name.

David S. Turetsky
Chief, Public Safety and Homeland Security Bureau